

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 05-18-JJF
	:	
ANDRES RODRIGUEZ,	:	
	:	
Defendant.	:	

MOTION FOR RETURN OF PASSPORT

The defendant, Andres Rodriguez, through undersigned counsel, Eleni Kousoulis, Esq., hereby moves for the Court to issue an Order returning to Mr. Rodriguez his passport.

In support of this motion the defense submits as follows:

1. On March 10, 2005, Andres Rodriguez was arrested on the above-captioned case.
2. At his initial appearance in this matter on March 11, 2005, U.S. Magistrate Judge Mary Pat Thyng ordered as a condition of his pre-trial release, that Mr. Rodriguez surrender his passport to the U.S. Clerk's Office for the District of Delaware.
3. Pursuant to Magistrate Judge Thyng's order, Mr. Rodriguez surrendered his passport to the U.S. Clerk's Office for the District of Delaware.
4. On May 23, 2006, Mr. Rodriguez was sentenced in this matter to three years probation.
5. Mr. Rodriguez currently suffers from a variety of medical problems for which he is on medication. He pays for his medication through Medicare. However, Medicare has the wrong date of birth listed for Mr. Rodriguez, and until Mr. Rodriguez can verify his date of birth, Medicare

has stopped approving payment for his medication. As a result, Mr. Rodriguez is unable to get his needed medication until this matter is resolved. Mr. Rodriguez is in need of his passport in order to verify with Medicare his correct date of birth.

6. Mr. Rodriguez's passport is still in the custody of the U.S. Clerk's Office for the District of Delaware.

7. Mr. Rodriguez respectfully requests that his passport be released to counsel's custody in order that it may be returned to him.

8. Richard Andrews, attorney for the government, does not object to Mr. Rodriguez's request to have his passport returned to him.

WHEREFORE, for the above stated reasons and any other such reasons that shall appear to the Court, it is respectfully requested that Andres Rodriguez's passport be released to counsel's custody so that it may be returned to Mr. Rodriguez.

Respectfully submitted,

/s/ _____
Eleni Kousoulis, Esquire
Acting Federal Public Defender
704 King Street, Suite 110
Wilmington, DE 19801
(302) 573-6010
Attorney for Defendant Andres Rodriguez

Dated: November 15, 2006

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CERTIFICATE OF SERVICE

Undersigned counsel certifies that a copy of Defendant Motion for return of Passport is available for public viewing and downloading and was electronically delivered on November 15, 2006, to:

Richard Andrews, Esq
Assistant U.S. Attorney
1007 Orange Street
Suite 700, P.O. Box 2046
Wilmington, DE 19899-2046

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Dated: November 15, 2006